

**Miracle Rock Mining and  
Research L.L.C.**

400 S. 200 E.  
Emery, UT 84522  
(435) 286-2222

5/015/040

July 2, 2002

State of Utah  
Division of Oil, Gas, and Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: The Rockland Mine name registration

Dear Mr. Hedberg:

Recently, we prevailed in court after a long and protracted litigation to return the mineral lease 42844A back into our name. ref. United States District Court case number: 2:00 CV 173 C. TRC vs. Miracle Rock Mining and Research.

Significant time, money, and resources were spent to ensure that our mineral lease was returned to our name. We are now aware that in the transfer of the mineral lease a mistake was made in renaming the lease 42844A. TRC had named lease 42844A "The Junkyard Mine", which was once a portion of lease 42844 "The Rockland Mine" (DOGM project ID S150040). Currently the DOGM has lease 42844A named the "Body Toddy Mine/Junkyard Mine" and transferred "The Rockland Mine" to another lease. The information below further outlines the past usage of the names.

Miracle Rock Mining and Research past usage and claims to the rights to the name "The Rockland Mine" are as follows:

State of Utah Trademark: License Number: \_\_\_\_\_  
Federal Trademark: Serial Number: 1  
MHSA records: 42-01989  
DOGM project ID S150040 (ref. royalty payment records 1990-2002)


TRC claims the rights to name "Boddy Toddy" as follows:

Federal Trademark: Serial Number: \_\_\_\_\_  
Federal Trademark: Serial Number: 1

Further, TRC makes no claims either State or Federal referencing the name "The Rockland Mine"

Clearly an error occurred when the lease was reassigned back to Miracle Rock Mining and Research. I think correcting this simple mistake would be prudent given the past litigation and reason for transferring the mineral lease 42844A back to Miracle Rock Mining and Research.. We hope that you see that our concern is to expedite getting the mineral leases 42844 & 42844A to the properly named. Thank you for the professionalism and unbiased review of this matter.

Sincerely,



David J. Taylor  
Manager, MRM LLC

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## Trademark Electronic Search System (TESS)

TESS was last updated on Fri Jun 28 04:31:24 EDT 2002

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## Record 1 out of 1

**Check Status**

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

## Typed Drawing

**Word Mark** THE ROCKLAND MINE  
**Goods and Services** IC 037. US 100 103 106. G & S: mining extraction of humic shale and its derivatives. FIRST USE: 19900102. FIRST USE IN COMMERCE: \_\_\_\_\_  
IC 040. US 100 103 106. G & S: preparation and refinement of humic shale and its derivatives. FIRST USE: 19900102. FIRST USE IN COMMERCE: \_\_\_\_\_  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** \_\_\_\_\_  
**Filing Date** November 8, 1999  
**Owner** (APPLICANT) Miracle Rock Mining and Research L.L.C UTAH 400 south 200 east Emery UTAH 84522  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MINE" APART FROM THE MARK AS SHOWN  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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DIVISION OF  
OIL, GAS AND MINING

# State of Utah

DEPARTMENT OF COMMERCE

Division of Corporations & Commercial Code

160 East 300 South, 2nd Floor

P.O. Box 146705

Salt Lake City, UT 84114-6705

Web Site: <http://www.commerce.state.ut.us>

Call Center: (801)530-4849

Trademark file #

For office use only...

UTAH DIVISION OF  
CORPORATIONS & COMMERCIAL CODE

99 NOV 10 16:47

## Application for State Trademark or Service Mark Registration

(It is the applicant's responsibility to check for conflicts with federally registered trademarks or service marks)

Please type all entries. Complete all spaces. For further information see instruction sheet.

1. Applicant's Name: Miracle Rock Mining and Research
2. Applicant's address: 400 south 200 east Emery UT 84522  
Street Number City State Zip
3. Daytime telephone number (include area code): (435) 286-2222
4. State in which applicant was formed as a business: Utah
5. Is this a new application? ☐ Renewal? ☐ (enter TM file number) New application

6. Describe the trademark or service mark:

"The Rockland Mine"

7. How will the trademark or service mark be used:

The trademark will be used in letterhead, literature, labels, and all other media types.

8. Describe the product or service associated with the mark:

"The Rockland Mine" is used as the name of the mine.

9. Attach two (2) samples of the mark on separate pages.

10. Date of first use of the trademark or service mark:

In Utah 1990

Outside Utah 1990

11. Certificate

I hereby certify that I own and have the right to use the trademark or service mark applied for, that to the best of my knowledge it is neither identical to nor deceptively similar to any other registered trademark or service mark, and that the two (2) samples attached to this application are representative of the trademark or service mark.

*David L. Ruffo*  
Applicant's signature

President

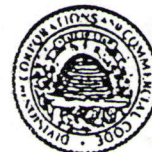
Title

11/08/99

Date

### CERTIFICATION OF TRADE MARK AND SERVICE MARK STATE OF UTAH DEPARTMENT OF COMMERCE DIVISION OF CORPORATIONS AND COMMERCIAL CODE

I hereby certify that the foregoing trademark or service mark has been filed in the  
Office of this Division on Nov 10, 1999  
Said Mark is registered for a period of ten years from date of filing and will expire.



On Nov 10, 2009  
Examiner [Signature]  
Date Nov 12, 1999  
LORENA P. RUFFO  
DIVISION DIRECTOR

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DIVISION OF  
OIL, GAS AND MINING

AO 450 (Rev. 5/85) Judgment in a Civil Case

# United States District Court

Central Division for the District of Utah

The Rockland Corporation

v.

David Taylor, Miracle Rock Mining  
and Research of Emery Utah et al

JUDGMENT IN A CIVIL CASE

COPY

Case Number: 2:00 CV 173 C

This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that judgment quieting title in the real property contained in Lease 44-A be entered in favor of the defendants and plaintiff's cause of action is dismissed. Judgment is entered in favor of the plaintiff on defendants' counterclaims which are dismissed.

May 23, 2002  
Date

Markus B. Zimmer  
Clerk

Entered on docket

5-24-02 by:

Deputy Clerk

*Laurel S. Taylor*  
(By) Deputy Clerk

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